

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/698,634	PYLANT, CHRIS DAVID
	Examiner Seyed Azarian	Art Unit 2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 7/11/2007.
2.  The allowed claim(s) is/are 1-20.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **Response to Amendment**

1. Based on applicant's amendment, filed 7/11/2007, see page 6 through 12 of the remarks, with respect to amended claim 19, have been fully considered and are persuasive, upon further consideration the rejection, of 35 U.S.C. 101 and 103(a) for claims 1-20, are hereby withdrawn.

The claims 1-20 are allowed.

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance.

This invention relates generally, to monitoring animal behavior and, more particularly, to monitoring animal behavior to determine the presence or lack thereof of a fear reaction.

Based on applicant's amendment, with respect to claim 1, the closest prior art of record (DeCharms and Eppler), DeCharms reference is directed to methods, software and systems for monitoring physiological activity, particularly in the human brain and nervous system and therapeutic applications relating thereto, and Eppler reference is directed to x-ray imaging and, more particularly, to calibrating an x-ray laminography imaging system that utilizes a stationary x-ray source and generates a moving pattern of x-ray spots on a target to reduce or eliminate the need to move the object being imaged, but neither DeCharms nor Eppler teach or suggest, among other things, "a first logic configured to classify one or more points in each of the images as either on-object or off-object, a second logic configured to compare the classified points in order to determine those points for which the classification differs, and a third logic configured to aggregate those points for which the classification differs in order to quantify a measure of the movement of the object".

Additionally claim 11 representative of claims 19 and 20, the closest prior art of record (DeCharms and Eppler) do not teach or suggest, among other things, "classifying each point in the images as either on-object or off-object to create classified images, and comparing one

Art Unit: 2624

classified image to at least one other classified image to determine those areas for which the classification differs, measuring at least one neurological impulse, and correlating the determination of those areas for which the classification differs to the measurement of the at least one neurological impulse".

These key features in combination with the other features of the claimed invention are neither taught nor suggested by (DeCharms and Eppler) prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled 'Comments on Statement of Reasons for Allowance'.

### Contact Information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seyed Azarian whose telephone number is (571) 272-7443. The examiner can normally be reached on Monday through Thursday from 6:00 a.m. to 7:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached at (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR.

Status information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Seyed Azarian  
Patent Examiner  
Group Art Unit 2624  
September 26, 2007

*Seyed Azarian*